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UNCLAS ABU DHABI 03220

SIPDIS  
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ACTION: AMB  
INFO: DCM MEPI ECON POL DOJ

DISSEMINATION: AMB  
CHARGE: PROG

APPROVED: AMB:MJSISON  
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FM AMEMBASSY ABU DHABI  
TO RUEHC/SECSTATE WASHDC 0790  
RUEAWJA/DEPT OF JUSTICE WASHDC  
INFO RUEHZM/GULF COOPERATION COUNCIL COLLECTIVE  
RUEHDE/AMCONSUL DUBAI 5248

UNCLAS SECTION 01 OF 02 ABU DHABI 003220

SIPDIS

STATE FOR NEA/ARPI AND L/LEI - DENISE MANNING

JUSTICE FOR DAAG - BRUCE SWARTZ  
OIA - MOLLY WARLOW AND DAVID WARNER  
OPDAT - CARL ALEXANDER AND JAMES SILVERWOOD

SENSITIVE

E.O. 12958: N/A  
TAGS: [KJAN](#) [KJUS](#) [PGOV](#) [KTFN](#) [SOCI](#) [TC](#)  
SUBJECT: UAE JUDICIAL COOPERATION WITH THE EUROPEANS

¶1. (SBU) Summary. The UAE does not have a robust judicial cooperation relationship with the U.S. or European countries. The Ministry of Justice would like to sign bi-lateral judicial cooperation treaties with the U.S. and is holding the judicial cooperation relationship hostage in order to make progress on negotiations. In an effort to gain perspective on the currently stagnant U.S./UAE judicial relationship, Embassy's Resident Legal Advisor (RLA) met with French, Canadian, and Australian officials to discuss the nature of UAE judicial cooperation with their respective countries. The French have been negotiating three judicial cooperation treaties with the UAE since 2001; the second formal round of negotiations was held on July 4th-6th in Abu Dhabi though little progress was made. The UAE responds well to French requests for fugitive returns but France has not received a response to a request for evidence in several years. The French provide substantial training to the UAE in the areas of law enforcement and justice. There are very few judicial requests between Canada and the UAE. Canada intends to provide money laundering training in the September. While there are few requests between Australia and the UAE, the UAE is generally unresponsive to the few official requests made and has insisted on bi-lateral judicial cooperation treaties before future assistance will be given. Both Canada and Australia are considering the negotiation of bi-lateral judicial cooperation treaties with the UAE. On July 20, a Ministry of Justice representative told RLA that the UAE just signed three

draft bi-lateral treaties with Azerbaijan. End summary.

#### French/UAE Treaty Negotiations Moving Forward Slowly

12. (SBU) RLA met with Colonel Bernard Vingtdoux at the French Embassy on July 9 to discuss the French-UAE bi-lateral judicial cooperation relationship. Colonel Vingtdoux said that the UAE and France have been negotiating three treaties since 2001: extradition, mutual legal assistance and prisoner transfer. The first round of negotiations was in 2001 and, since that time, the two countries have been negotiating via diplomatic note -- to which the UAE has been slow to respond. He added that there have been difficulties with translations.

13. (SBU) According to Vingtdoux, the second round of negotiations went smoothly but the talks did not progress beyond discussion of the mutual legal assistance treaty. UAE Ministry of Justice (MOJ) representatives raised concerns (without providing specifics) about engaging in an agreement to provide bank documents and said that this provision would have to be discussed at the next round of negotiations. No time has been set for the next round. The issue of the death penalty was briefly touched upon, but according to Vingtdoux, the UAE delegation did not appear to understand the need for death penalty assurances in the extradition context. Vingtdoux assessed that the UAE is not anxious to conclude these treaties quickly, and he said it has not expressed an interest in concluding all three simultaneously. UAE officials have not told France that treaties are necessary for the execution of future requests.

#### French/UAE Judicial Cooperation, Training

14. (SBU) France has experienced positive cooperation from the UAE on extradition requests, but not on other judicial matters. The UAE has returned three French citizens to France in the last four years. (Note: the French have not requested the return of a non-French national.) On the other hand, the UAE has not responded to French letters of request in three or four years. The French currently have twelve requests pending in the UAE. Vingtdoux reports that they have had particular difficulty when the request involves bank records, even when the Embassy pursues the request vigorously.

15. (SBU) The UAE Ministry of Interior frequently requests training and the French provide at least thirty law enforcement training conferences a year with approximately 50 French officers traveling to the UAE annually to participate. In addition, the UAE sends officers to France for training. In 2002, the French government provided money-laundering training to representatives from the Central Bank and the Ministries of Interior and Justice. The French government will be providing similar money laundering training in September. The Abu Dhabi Judicial Institute receives training from the French National School for Judges in Bordeaux. The French Embassy does not have frequent contact with the Central Bank.

#### Canadian/UAE Judicial Cooperation, Training

16. (SBU) On July 10, RLA met with Dennis O'Byrne Liaison, Royal Canadian Mounted Police Liaison Office, Consulate of Canada. Mr. O'Byrne said that there are few bi-lateral judicial requests between Canada and the UAE. He noted that the last fugitive return from the UAE to Canada was in January 2004 and took a long time to execute. The UAEG did not require an extradition treaty in order to execute the request but they did request the return of a UAE fugitive from Canada. However, the Canadian Ministry of Foreign Affairs and Department of Justice were not able to return the fugitive. The Canadian Department of Justice is in the process of considering the negotiation of bi-

lateral judicial cooperation treaties with the UAE.

¶7. (SBU) In early June, at the request of the Ministry of Interior, the Canadians submitted a law enforcement money laundering training/counter terrorist financing course proposal to be held in Abu Dhabi from September 11-21. The UAE Ministry of Interior has not yet responded to the offer. The course is entitled "Proceeds of Crime and Terrorist Financing Investigative Techniques." If it is held, three investigators and one coordinator will travel from Canada to present the course. According to O'Byrne, while Canada enjoys excellent relations with the Ministry of Interior in terms of training development, working with the Abu Dhabi Police has been frustrating because of their inability to articulate their training needs. A nine person delegation from the Central Bank, as well as law enforcement representatives, traveled to Canada last month to learn more about Canadian counter money laundering procedures. The Central Bank has asked Canada to provide additional training on this topic as well. The Canadian Department of Justice has no training programs planned at this time.

Australian/UAE Judicial Cooperation, Training /

¶8. (SBU) On July 10, RLA met with David Hall, Senior Police Liaison, Australian Consulate General. Hall said that Australian letters of requests are rarely, if ever, executed--even in terrorism matters. The UAE has deported several Australians in the past but not in response to a fugitive return request. Hall said that law enforcement cooperation is somewhat better but not consistent. The UAEG has stated that judicial cooperation treaties must be in place before it will provide future cooperation. Australia is currently considering the negotiation of judicial cooperation treaties. The UAE has requested training in a number of areas and, while no training is currently planned, Australia does intend to provide it.

¶9. (SBU) On July 20, RLA spoke with a Ministry of Justice representative who said that the UAE just concluded three days of treaty negotiations with Azerbaijan. The countries signed draft agreements on extradition, mutual legal assistance in criminal, civil and commercial matters.

¶10. (SBU) Comment: It is useful to note the state of play between the UAEG and other governments on judicial cooperation in comparison with our own USG experience. From October 2004 to January 2005, the UAEG returned five U.S. requests for assistance in returning fugitives to the United States to face criminal charges. The UAEG indicated that it was not taking the requested action because of the lack of a Mutual Legal Assistance Treaty (MLAT) or other understanding with respect to the principles of reciprocity. Embassy continues to underscore to the UAEG that the U.S. and the UAE have a shared history of providing assistance in criminal matters and that our desire is to ensure that this relationship continues--with or without an MLAT. End Comment.  
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